

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSHUA COPENHAVER,

Plaintiff,

Case No. 05-CV-73286

HON. BERNARD A. FRIEDMAN

vs.

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

**OPINION AND ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION [DE # 99] DENYING PLAINTIFF'S MOTION TO
REINSTATE PREVIOUSLY DISMISSED DEFENDANTS**

This matter is before the Court on Magistrate Judge R. Steven Whalen's February 29, 2008 Report and Recommendation ("R & R") [DE #99]. Magistrate Judge Whalen recommended that the Court deny Plaintiff's motion seeking reinstatement of previously dismissed Defendants Burnett, Slagter, Gray, Beckwith, Caruso and Stapleton. Plaintiff did not file an objection to the R & R. The Court has reviewed this matter de novo as required under FED. R. CIV. P. 72(b). Having reviewed the report and recommendation, the Court hereby accepts and adopts the report and recommendations of Magistrate Judge Whalen, as though they were the findings and conclusions of this Court.

Plaintiff's motion is filed pursuant to FED. R. CIV. P. 60(b). As explained in detail in the R & R, Plaintiff has failed to identify any exceptional or extraordinary circumstances that are requisites to the granting of this motion.

Accordingly,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation is
ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Plaintiff's motion for reinstatement of Defendants is
DENIED.

Date: March 18, 2008

_____/s/Bernard A. Friedman_____
HON. BERNARD A. FRIEDMAN
CHIEF UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins
Case Manager to Chief Judge Friedman